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N THE CHITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/786,416

Confirmation No. 2813

Applicant

BAYCHAR

Filed

February 26, 2004

Title

RUNNING SHOES, HIKING SHOES AND BOOTS,

SNOWBOARD BOOTS, ALPINE BOOTS, HIKING BOOTS, AND THE LIKE, HAVING WATERPROOF/BREATHABLE

MOISTURE TRANSFER CHARACTERISTICS

TC/AU

1771

Examiner

A. Gofman

Docket No. :

BAY-510

NO FEE REQUIRED

Customer No.:

24956

Commissioner for Patents Mail Stop DD P.O. Box 1450 Alexandria, VA 22313-1450

<u>INFORMATION DISCLOSURE STATEMENT (IDS)</u> <u>UNDER § 1.97 AND § 1.98</u>

Sir:

In accordance with the duty of disclosure, Applicant informs the Examiner of the documents cited during prosecution of related applications.

1. This IDS should be considered:

- (a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;
- (b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 is enclosed, or if not see section 5 below);

Appl. No. 10/786,416 Information Disclosure Statement dated April 21, 2006

- (c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 to cover the petition fee, or if not see section 5 below).
- 2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.
- 3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed when needed.
 - 4. The undersigned hereby states:
- in any communication from a foreign patent office in a counterpart foreign application, as indicated on the copy of the communication submitted herewith, which communication was dated not more than three months prior to the filing of this IDS; or to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) not more than three months prior to the filing of this IDS.
- 5. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.
- 6. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Shripath Malur

Reg. No. 34,663 (703) 684-1120

Sheet 1 of COMMERCE ATTY. DOCKET NO. U.S. PARTMENT OF COMMERCE ATTY. DOC PATENT AND DESCRIPTION OF ICE BAY-510 FORM PTO-1449 SERIAL NO. 10/786,416 (REV. 7-80) APPLICANT LIST OF DOCUMENTS CITED BY APPLICANT BAYCHAR (Use several sheets if necessary) GROUP FILING DATE February 26, 2004 1771 **U.S. PATENT DOCUMENTS** FILING DATE (If Appropriate) **EXAMINER** DATE NAME CLASS SUBCLASS DOCUMENT INITIAL AA | 5,499,549 03/1996 Tomaro ΑB 11/15/94 Lumb et al 5,364,678 6,048,810 04/11/00 Baychar ΑD 6,893,695 05/17/05 Baychar ΑE ΑF AG ΑH ΑI AJ ΑK FOREIGN PATENT DOCUMENTS TRANSLATION CLASS SUBCLASS DATE COUNTRY DOCUMENT YES NO 03/03/99 EP (which corresponds to U.S. 0899090 ΑL 5,364,678) ΑM AN AO ΑP OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) AR AS AT

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXAMINER

DATE CONSIDERED